

DeFuniak Springs City Council
Workshop
November 12, 2019

The following members were present: Mayor Bob Campbell, Mayor Pro-Tem Robert McKnight (Seat 2); Councilman Todd Bierbaum (Seat 1); Councilman Kevin Crystal (Seat 3); Councilman Henry D. Ennis (Seat 4), and Councilman Wayne Graham (Seat 5). Also present were Clay Adkinson, City Attorney; Mell Smigielski, City Manager; Debra Gibson, Finance Director; and Maryanne Schrader, City Clerk.

Mayor Campbell called the workshop to order at 5:01 p.m. and turned it over to City Manager M. Smigielski.

City Manager M. Smigielski went over the upcoming consent agenda. In response to Council Member K. Crystal, M. Schrader City Clerk clarified the use of "Reserved" on the agenda as a placeholder.

City Manager M. Smigielski went on to the regular agenda and asked if there were any questions. Council member R. McKnight said the description of the Assistant City Manager was well done but asked where the drivers license requirement was located and was directed that it was located under qualifications.

Discussion ensued on the title for the Assistant City Manager. After consideration, the Council decided on Deputy City Manager.

Council Member W. Graham asked if there was enough work for the assistant, and City Manager M. Smigielski replied there is. He added the city is at the cusp of the CRA getting on line, so his intent is for the person to head up the CRA and facilitate the Economic Development Committee.

There was discussion on who would do the hiring, as Councilmember H. Ennis said the Council should do the hiring.

City Attorney Clay Adkinson stated the hiring or firing is subject to the personnel policy. He advised the Council that an ordinance was recently approved to resolve the issue of termination and was deferred to the City Manager to hire or fire. If the interim person is unacceptable, we would go through the process. It would take an amendment to the existing ordinance, otherwise. He added per Ordinance, the Council hires the City Clerk, City Manager and Finance Director.

Councilmember K. Crystal asked about the area of the qualifications in terms of five years' experience with a municipality. City Manager M. Smigielski said the interpretation is if someone has worked along side a municipality, their managerial qualifications would show they were qualified. Councilmember R. McKnight suggested the wording should be an ideal candidate who would have five years' municipal or county experience. However, City Attorney Clay Adkinson said that would be an interpretation of the term municipal, so it would exclude County experience. He added that he vastly prefers local governmental experience to get the wider range of candidates. If it comes down to two candidates, the municipality must outweigh a county candidate, as the laws are different.

Councilmember R. McKnight retracted his statement on the word "county". City Manager M. Smigielski suggested the ideal candidate "should" have a minimum of five years. He gave the example of the City Manager from Panama City who did not have municipal experience, but he has extensive managerial experience with his military background.

Discussion ensued on the education level as to whether the position required a bachelor's degree or whether it would be desirable to have a minimum of an associate degree. Councilmember T. Bierbaum suggested a clause be added that we would consider a certain amount of experience as a substitute for a bachelor's degree. The consensus was determined that a minimum amount of experience should be ten years. Council member R. McKnight asked if a bachelors' degree is essential, and City Manager Smigielski said it would not preclude anyone.

City Manager Smigielski reiterated that the job description should state the ideal candidate would have five years' experience, a bachelor's degree is desirable, with a minimum of ten years' experience substituting for a degree. Councilmember K. Crystal said whoever we hire, that person will step in so experience in running city government is necessary.

Mayor Campbell said the City Manager needs to have someone who has skills that will help us as a city to move forward.

City Attorney Clay Adkinson said on a sliding scale for experience, you may want to weigh the benefit of how many years of experience with the education, so the Council should set a minimum for both experience and education. The Florida League said the odds of getting someone with a Masters' degree individual is rare. As it is written now, the bachelor's is desirable, but you must have the experience.

Discussion ensued on whether the City Manager or City Council should hire the Deputy City Manager. In response to Councilmember K. Crystal, City Attorney Clay Adkinson said his recommendation if the Council wants to specify who does the hiring would need to be added to the description. This person will be handling CEO level functions complimentary to our city manager. Depending on the functions you want the person to fulfill and level of authority, an ordinance could be drawn up and the changes would need to come back to the Council for approval. After the final job description is approved, it can be advertised.

Councilmember W. Graham asked if it was in the budget, and City Manager M. Smigielski replied that we would have to amend the budget.

Councilmember R. McKnight said the city manager needs someone who can function independently, with minimal supervision and independent oversight.

City Manager M. Smigielski expressed concerned about getting missed signals. He said our attorney brought up the point, that before we advertise the position, the budget needs to be amended. City Attorney Clay Adkinson added the position cannot be legally advertised until the budget amendment is noticed. He asked that it be tabled until we have an adjustment and a revised job description.

Councilmember W. Graham requested a written job justification.

Mayor Campbell said the Council has many projects and they are forward thinking with great ideas. We are asking more from our administration, but we have not given the horsepower to the manager. We should move forward with the position, as the deputy manager will be there to help.

Resident J.B. Hillard came forward and said we have never had a professional city manager until now. He stated the deputy must be compatible, so the city manager should be able to choose who will work best with him. He suggested the Council do the policymaking and let the city manager run the city.

Councilmember K. Crystal asked if we have the money to place it in the budget, and D. Gibson replied that there is money in the budget.

City Manager M. Smigielski brought forth the resolution in Item 5B. He said the City Clerk has brought the resolution forward and mentioned the specialty paper is getting harder to find, and the blue ink will be more visible in scanned documents.

City Manager M. Smigielski went over was the priority list next. Councilmember R. McKnight asked if the sheet was for bricks and mortar, and City Manager M. Smigielski replied that it was for those type of projects.

City Manager M. Smigielski announced Item 7 was removed from the agenda.

City Manager M. Smigielski asked Finance Director D. Gibson to explain the promissory note on the agenda. She said the project was completed but the notes are combined with the extra \$35,000. In next year's budget, there will be a slight amount change. City Manager M.

Smigielski said it was for the DOT relocation of utilities for the 331-widening project. In response to Councilmember T. Bierbaum, D. Gibson replied the term was for ten years.

Regarding the 2nd readings, City Attorney Clay Adkinson explained that the reading was announced for the first meeting in November, however with the Veteran's Day holiday, the meeting was changed to the 12th. He said his office will advertise for the November 25th, and his office will defer the costs.

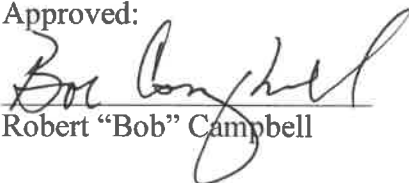
Councilmember R. McKnight asked Mayor Campbell if Mr. Evans was going to discuss the materials he was going to present, and Mayor Campbell replied he will not discuss it tonight.

Mayor Campbell said there will be an add on tonight, as Mr. Charlie Hinson needs money for both labor and materials on Baldwin Avenue to place the decorations on the buildings and light poles. By the agreement, the money was supposed to come from Main Street. He explained that Mr. Hinson said the equipment must be rented immediately, so he can finish the job. He asks the Council to approve a short-term loan, which Main Street will pay back in sixty days. City Manager, M. Smigielski added Main Street has entered into an agreement for roughly \$60,000. Main Street has paid \$30,000 per the agreement but is unable to pay the remaining amount.

In response to Councilmember R. McKnight and his concern of entering into an agreement with Main Street when they are not present, City Attorney Clay Adkinson said we cannot legally enter into an agreement from the table, so the most the city can do tonight is to offer to either step in as an assignment of the contract to help fund it in terms of the agreement subject to the city negotiating the agreement. He does not know if they can legally receive funding, but he thinks the County will work with us, as it is a good partner with the city as a partner in conjunction with Christmas Reflections. He suggested that the City ensure the contract is fulfilled. It is more of an extension of an offer. Councilmember K. Crystal voiced concern with the funds not coming back directly to the City. Mayor Campbell asked and the city attorney replied that we could build contingencies into the agreement. City Attorney Clay Adkinson said we could agree that the Mayor and City Manager could sign the agreement based on the contingencies set forth and asked D. Gibson if there was money in the budget, and the finance director replied that there is at least the \$30,000 in the Christmas Reflections budget. Discussion ensued on the method of paying back the loan. Council concurred that the agreement be drawn up as there is a time constraint for Mr. Hinson. City Attorney Clay Adkinson stated he will prepare a financing agreement by tomorrow with a clause that the city will assign monies directly to Hilltop Productions and the City will be paid directly.

Mayor Campbell adjourned the meeting at 6:01 p.m.

Approved:


Robert "Bob" Campbell

Attest:


Maryanne Schrader, City Clerk